

EXHIBIT A

STIPULATION

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re: : Chapter 11
: Case No. 22-10165 (MG)
JOSEPH KLAYNBERG :
Debtor. : Related Dkt No. 38
:
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**STIPULATION REGARDING WITHDRAWAL OF DERIVATIVE STANDING
MOTION FILED BY SERIES 2020A OF NAHLA CAPITAL LLC**

THIS STIPULATION (this “Stipulation”), dated as of October 11, 2022, is made by and among Joseph Klaynberg (the “Debtor”), Series 2020A of Nahla Capital LLC (“Nahla”), and Jonathan L. Flaxer, Chapter 11 trustee (the “Trustee,” together with the Debtor and Nahla, the “Parties”).

RECITALS

A. On February 11, 2022 (the “Petition Date”), the Debtor commenced the above-captioned case under chapter 11 of title 11 of the United States Code in the United States Bankruptcy Court for the Southern District of New York (the “Court”).

B. On March 8, 2022, Nahla filed the *Motion of Series 2020A of Nahla Capital LLC for Entry of an Order Granting Leave, Standing and Authority to Commence, Prosecute, and, if Appropriate, Settle Certain Claims Against Emily Klaynberg and Robert Klaynberg on Behalf of the Debtor’s Estate* (Dkt. No. 38) (the “Derivative Standing Motion”).

C. On June 17, 2022, the Debtor filed an opposition to the Derivative Standing Motion (Dkt. No. 116) and, on July 1, 2022, Nahla filed its reply (Dkt. No. 119).

D. A hearing on the Derivative Standing Motion was held on July 20, 2022, with the Court reserving decision.

E. On September 20, 2022, the United States Trustee appointed the Trustee, which appointment was approved by order entered on September 23, 2022 (Dkt. No. 233).

F. Given the recent appointment of the Trustee, Nahla has agreed to withdraw the Derivative Standing Motion, without prejudice, and the Debtor has indicated he has no objection to such withdrawal, as set forth herein.

AGREEMENT

NOW, THEREFORE, for and in consideration of the promises, mutual covenants, and agreements herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows, subject to Court approval:

1. The Derivative Standing Motion is hereby withdrawn, without prejudice.
2. This Stipulation may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, but all counterparts together shall constitute but one and the same instrument. Delivery of an executed counterpart hereof by electronic transmission shall be as effective as delivery of any original executed counterpart hereof.

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of Nahla Capital LLC*

IT IS SO ORDERED.

Dated: October ___, 2022
New York, New York

MARTIN GLENN
Chief United States Bankruptcy Judge